

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 16th day of June, 2003.

Typed or Printed name of person signing this certificate:
Wendy A. Frick

Signed: _____

Wendy A. Frick



24024

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6/24/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Rikihisa, et al.

Examiner: Swartz, Rodney P.

Serial No.: 10/059,964

Group Art Unit: 1645

Filed: January 28, 2002

For: **OUTER MEMBRANE PROTEIN
OF EHRLICHIA CANIS AND
EHRLICHIA CHAFFEENSIS**

Attorney Docket No.: 22727/04109

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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JUN 20 2003

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement mailed May 16, 2003, Applicants hereby elect Claims 15-19, 24-26 and 28-30, drawn to a method and kit for diagnosis of *Ehrlichia* infection. The election is without traverse.

Respectfully submitted,

Date: _____

June 16, 2003

By: _____

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

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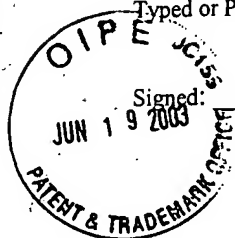
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**TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT
AND SECOND PRELIMINARY AMENDMENT**

Sir:

Transmitted herewith are the following:

1. Response to Restriction Requirement;
2. Second Preliminary Amendment; and
3. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date:

June 16, 2003

By:

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

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Wendy A. Frick

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Alexandria, Virginia 22313-1450**RECEIVED**

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SECOND PRELIMINARY AMENDMENT

Dear Sir:

This second preliminary amendment is being submitted in accordance with the revised format for amendments signed by the Patent Office on January 31, 2003. Please amend the above-identified application as follows